

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

OMEGA PATENTS, LLC,)	
)	
Plaintiff,)	DEMAND FOR JURY TRIAL
)	
v.)	C.A. No. 22-1044-WCB
)	
GEOTAB USA, INC.,)	
)	
Defendants.)	

GEOTAB USA, INC.’S ANSWER TO COMPLAINT

Defendant Geotab USA, Inc. (“Geotab USA”) hereby answers the Complaint filed by Plaintiff Omega Patents, LLC (“Omega”) as follows:

ALLEGATIONS AGAINST GEOTAB, INC.

With respect to the allegations in the Complaint relating to Geotab, Inc., those allegations are now moot and irrelevant in view of the Court Order dismissing all claims against that party.

D.I. 27. Accordingly, Geotab USA’s answers relate to itself only, and not to Geotab, Inc.

Nothing herein should be construed as an admission regarding Geotab, Inc. In view of the above, if and to the extent any allegations are deemed to remain against Geotab, Inc., Geotab USA lacks knowledge or information sufficient to address them in full, and accordingly avers that they should be deemed denied and plaintiff put to its proof.

PARTIES, JURISDICTION, AND VENUE

1. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 1, and so denies the allegations.

2. Geotab USA admits the allegations in paragraph 2.

3. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 3, and so denies the allegations.

4. Geotab USA admits that it engages in marketing activities to promote its products, and that some of its customers and/or potential customers may be located in Delaware and in the judicial District of Delaware. Geotab USA otherwise denies the remaining allegations.

5. For the purposes of this action only, Geotab USA does not contest that subject matter jurisdiction is proper for Geotab USA in this judicial district pursuant to 28 U.S.C. §§ 1331 and 1338(a). Geotab USA otherwise denies the remaining allegations.

6. For the purposes of this action only, Geotab USA does not contest that personal jurisdiction is proper in this judicial district for Geotab USA pursuant to 28 U.S.C. §§ 1391 and 1400. Geotab USA admits that it is registered as Delaware corporation and sells and offers to sell products in this Judicial District, but denies infringement. Geotab USA otherwise denies the remaining allegations.

7. For the purposes of this action only, Geotab USA does not contest that venue is proper in this judicial district for Geotab USA pursuant to 28 U.S.C. §§ 1391 and 1400. Geotab USA admits that it is registered as Delaware corporation formed in Delaware and this judicial district. Geotab USA otherwise denies the remaining allegations.

STATEMENT OF FACTS

8. Geotab USA admits that the USPTO issued U.S. Patent No. 8,032,278 on October 4, 2011. Geotab USA admits that the assignee of the '278 Patent listed on the face of the patent is Omega Patents, LLC. Geotab USA admits that Exhibit A appears to be a copy of the '278 Patent. Geotab USA otherwise denies the remaining allegations.

9. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 9, and so denies the allegations.

10. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 10, and so denies the allegations.

11. Geotab USA admits that it offers for sale and/or sells devices in the United States, but denies infringement. Geotab USA otherwise denies the remaining allegations.

12. Geotab USA admits that it offers for sale and/or sells GO products, admits that GO products include the GO8, GO9, and GO9+ products, and admits that some of the GO products are shown on <https://www.geotab.com/vehicle-tracking-device/>. Geotab USA otherwise denies the remaining allegations.

13. Geotab USA admits that GO products are telematics vehicle tracking devices. Geotab USA otherwise denies the remaining allegations.

14. Geotab USA denies infringement, whether by itself or its customers. Geotab USA otherwise denies the remaining allegations.

15. Inasmuch as Geotab USA was served with the Complaint containing a copy of the Patent-in-Suit, Geotab USA admits that it is aware of said patent. Geotab USA denies infringement, whether direct, indirect, via inducement, or via contributory infringement, and denies infringement by its customers. Geotab USA otherwise denies the remaining allegations.

COUNT I
Action for Alleged Direct Infringement of the
Patent-in-Suit Pursuant to 35 U.S.C § 271(a)

16. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 16, and so denies the allegations.

17. Geotab USA herein restates and reincorporates its answers to paragraphs 1-16.

18. Geotab USA denies the allegations in paragraph 18.

19. Geotab USA denies the allegations in paragraph 19.

20. Geotab USA denies the allegations in paragraph 20.

COUNT II

**Action for Alleged Induced Infringement of the
Patent-in-Suit Pursuant to 35 U.S.C § 271(b)**

21. Geotab USA lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 21, and so denies the allegations.

22. Geotab USA herein restates and reincorporates its answers to paragraphs 1-21.

23. Geotab USA denies the allegations in paragraph 23.

24. Geotab USA denies the allegations in paragraph 24.

25. Geotab USA denies the allegations in paragraph 25.

26. Geotab USA denies the allegations in paragraph 26.

27. Geotab USA denies the allegations in paragraph 27.

28. Geotab USA denies the allegations in paragraph 28.

29. Geotab USA denies the allegations in paragraph 29.

PRAYER FOR RELIEF AND JURY DEMAND

These portions of the Complaint make no factual allegations to which a response is necessary. Nonetheless, Geotab USA denies that Omega is entitled to any of the relief listed in these sections of its Complaint.

AFFIRMATIVE DEFENSES

Under Federal Rules of Civil Procedure 8(b) and (c), without assuming any burden that it would not otherwise bear, without reducing or removing Omega's burdens of proof on its affirmative claims against Geotab USA, and reserving its rights to assert additional defenses, Geotab USA asserts the following defenses to Omega's Complaint.

FIRST AFFIRMATIVE DEFENSE
(Invalidity)

1. The claims of the '278 Patent are invalid because they fail to satisfy one or more of the conditions for patentability specified in Title 35, United States Code, including 35 U.S.C. §§ 101-103, 112, and 120. For example and without limitation, many claims of the '278 are anticipated under § 102 by U.S. Patent 6,957,133 ("Hunt"), as described in *Geotab USA, Inc. v. Omega Patents, LLC*, IPR2023-00504, Paper 3 (Jan. 27, 2023). Additionally, all claims of the '278 Patent are obvious under § 103 using both Hunt and a combination of Hunt and U.S. Patent 6,756,885 ("Flick"), as detailed in the same IPR petition. Geotab USA incorporates by reference its filings in that IPR and their supporting materials. Geotab USA expects that discovery in this litigation will reveal that some or all claims of the '278 Patent are invalid in view of other prior art references and on other grounds.

SECOND AFFIRMATIVE DEFENSE
(Statutory Damages Limitation)

2. Any claim by Omega for damages is limited under Title 35 of the United States Code, including 35 U.S.C. §§ 286-288.

THIRD AFFIRMATIVE DEFENSE
(No Entitlement to Equitable Relief)

3. Omega is not entitled to equitable relief because any injury to Omega is not immediate or irreparable, Omega would have an adequate remedy at law, and the balance of hardships and the public interest do not favor equitable relief. Further, Omega has failed to plead the requisite elements for such relief.

FOURTH AFFIRMATIVE DEFENSE
(Government Sales)

4. Omega is not entitled to recovery under 28 U.S.C. § 1498(a).

FIFTH AFFIRMATIVE DEFENSE
(No Willful Infringement)

5. Omega is not entitled to a determination that Geotab USA has willfully infringed the asserted patent, and is not entitled to enhanced or increased damages for willful infringement, including by direct, indirect, induced, and/or contributory infringement.

GEOTAB USA'S RESERVATION OF RIGHTS

Geotab USA reserves the right to raise additional affirmative defenses as they become known through further investigation and discovery.

GEOTAB USA'S PRAYER FOR RELIEF

WHEREFORE, Geotab USA prays that the Court enter judgment against Omega in connection with Omega's Complaint, as follows:

- A. Dismissing Omega's complaint with prejudice;
- B. Holding that Geotab USA does not and has not infringed, either literally or under the doctrine of equivalents, the claims of the '278 Patent;
- C. Holding the claims of the '278 Patent are invalid;
- D. Taxing all costs against Omega;
- E. Finding this to be an exceptional case and awarding Geotab USA its attorneys' fees and costs under 35 U.S.C. § 285 and other applicable law; and
- F. Granting Geotab USA such further relief as the Court may deem just and proper.

GEOTAB USA'S JURY DEMAND

Under Federal Rule of Civil Procedure 38, Geotab USA requests a trial by jury on all issues so triable.

Respectfully submitted,

/s/ Andrew E. Russell

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